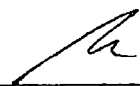


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7041510
PATENT
ATTORNEY DOCKET NO.: PARSE-C2
CUSTOMER NO: 36038

In the United States Patent & Trademark Office

Certificate
MAY 16 2006
of Correction

Applicants: M. Seul et al.	Examiner: P. Do
Serial No.: 09/768,414	Group Art Unit: 1641
Filed: 01/24/2001	
For: System and method for programmable illumination pattern generation	I hereby certify that, on the date indicated below, this correspondence and all attachments indicated herein are being faxed to the Commissioner for Patents at (571) 273 8300 By:  Date: 5/11/06

Attention: Certificate of Correction Branch
Commissioner for Patents
PO Box 1450
Alexandria VA 22313-1450

Request for Expedited Issuance of a Certificate of Correction

Dear Sir:

Pursuant to MPEP 1480.01, Applicant requests expedited issuance of a certificate of correction in this matter. A form PTO/SB/44 is attached showing where, in the claims, the corrections are requested. Also enclosed are the relevant pages of an amendment received by the PTO on 8/16/2004 in which the claims which issued and for which correction is requested were submitted, and of an Examiner's amendment of 11/3/2004 showing the amendments to claim 1.

A comparison of the claims in the amendments with those in the patent clearly shows that the errors in the claims for which correction is sought were made by the Office.

MAY 16 2006

MAY 17 2006

Respectfully Submitted,

By: 

Eric P. Mirabel
Reg. No. 31,211
Bioarray Solutions, Ltd.
35 Technology Drive
Warren NJ 07059
(908) 226 8200 (ext 203)

Applicants) hereby petitions for any extension of time or for any other grounds needed to make this submission timely and proper. The Commissioner is hereby authorized to charge any fees due in connection with this submission and not otherwise covered by payment included herewith, or to credit any overpayment, to Deposit Account No. 502088.

MAY 16 2006
MAY 16 2006

(Also Form PTO-1050)

**UNITED STATES PATENT AND TRADEMARK OFFICE
CERTIFICATE OF CORRECTION**

PATENT NO. : 7,041,510

DATED : May 9, 2006

INVENTOR(S) : Seul et al.

It is certified that an error appears or errors appear in the above-identified patent and that said Letters Patent is hereby corrected as shown below:

col. 47, lines 17-18, replace "delineated" with -- delineate --

col. 47, line 28, replace "in said translocated particles" with -- merging said translocated particles --

MAILING ADDRESS OF SENDER (Please do not use customer number)

PATENT NO. _____

No. of additional copies

**MAY 16 2006**

P15/REV03

PATENT
ATTORNEY DOCKET NO.: **PARSE-C2**
CUSTOMER NO: 36038

In the United States Patent & Trademark Office

Applicants: M. Seul et al.	Examiner: P. Do
Serial No.: 09/768,414	Group Art Unit: 1641
Filed: 01/24/2001	
For: System and method for programmable illumination pattern generation	I hereby certify that, on the date indicated below, this correspondence and all attachments indicated herein are being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, Mail Stop Non-Fee Amendment, PO Box 1450, Alexandria VA 22313-1450 By: _____ Date: _____

Amendment and Response to Office Action

Commissioner for Patents
PO BOX 1450
Alexandria VA 22313-1450

Dear Sir:

In response to the Office Action of 7/27/2004, please amend the claims as follows and reconsider the rejections in view of the remarks which follow.

REMARKS

Applicants have made amendments to the claims as the Examiner has suggested in order to overcome the rejections under Section 112, para. 2. however, applicants have not amended the claims to clarify the spatial relationship of the illumination pattern generator and the light sensitive electrode in claim 3. Adding this would not clarify the claim. Whether the generator is far, near, above, below is not relevant, as long as it can generate the illumination pattern. If the Examiner has any questions about this or any other matter herein, she is encouraged to call the undersigned attorney to discuss it.

MAY 6 2006

Applicants have included terminal disclaimers to overcome the provisional obviousness-type double patenting rejections. Allowance of this application is requested.

Respectfully Submitted,

BY: 

Eric P. Mirabel
Reg. No. 31,211
Bioarray Solutions, Ltd.
35 Technology Drive
Warren NJ 07059
(908) 226 8200 (ext 203)

Applicants hereby petition for any extension of time or for any other grounds needed to make this submission timely and proper. The Commissioner is hereby authorized to charge any fees due in connection with this submission and not otherwise covered by payment included herewith, or to credit any overpayment, to Deposit Account No. 502088.

MAY 16 2006

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Claim Listing

Please amend the claims as follows and add the following new claim 15.

1. (currently amended) A process of spatially encoding separating and then merging distinct groups of particles in a planar assembly of particles which is formed on a substrate by sequential injection of a multiplicity of groups of particles of at least one type, said process comprising:
providing a substrate comprising a light-sensitive planar electrode, the light-sensitive electrode being aligned with another planar electrode in substantially parallel arrangement, with said electrodes being separated by a gap, and the gap containing an electrolyte solution which is in contact with said electrodes;
placing a group of at least one type of particles selected from a reservoir containing said at least one type of particles into the electrolyte solution so as to confine said injected particles into a first distinct segment of the light-sensitive electrode, wherein the first distinct segment is illuminated by an illumination source to delineated by a first distinct illumination pattern on said light-sensitive electrode;
translocating said confined particles to a ~~second~~ another distinct segment of the light-sensitive electrode, wherein said another distinct segment is illuminated by an illumination source to delineated by another second distinct illumination pattern on said light-sensitive electrode, wherein said second another distinct segment either has no particles in it or has a planar assembly of particles in it; and
merging said translocated particles with any ~~pre-existing planar assembly of particles previously formed~~ in said ~~second~~ another distinct segment of the light-sensitive electrode.
2. (previously presented) The process of claim 1, further comprising recording an image showing said translocated groups of particles in their final positions within said second segment.
3. (currently amended) The process of claim 2, wherein the first illumination pattern and the second illumination pattern are provided using a programmable illumination pattern generator which can be selectively activated to generate said illumination patterns, said method further comprising reiterating the placing, translocating, merging and recording steps n times, wherein n is an integer from zero to about 10,000.

MAY 16 2006

Notice of Allowability	Application No.	Applicant(s)	
	09/768,414	SEUL ET AL	
	Examiner	Art Unit	
	Pensee T. Do	1641	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to the amendment filed on August 16, 2004.
2. ☒ The allowed claim(s) is/are 1-4, 15 renumbered as 1-5 respectively.
3. ☒ The drawings filed on 24 January 2001 are accepted by the Examiner.
4. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).
 - * Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.
THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
6. ☐ CORRECTED DRAWINGS (as "replacement sheets" must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.

Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).

7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

<ol style="list-style-type: none"> 1. <input type="checkbox"/> Notice of References Cited (PTO-892) 2. <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-348) 3. <input type="checkbox"/> Information Disclosure Statements (PTO-1449 or PTC/ISB/08), Paper No./Mail Date _____ 4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit of Biological Material 	<ol style="list-style-type: none"> 5. <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) 6. <input checked="" type="checkbox"/> Interview Summary (PTO-413), Paper No./Mail Date <u>Sept. 7, 2004</u> 7. <input type="checkbox"/> Examiner's Amendment/Comment 8. <input checked="" type="checkbox"/> Examiner's Statement of Reasons for Allowance 9. <input type="checkbox"/> Other _____
--	--

Application/Control Number: 09/768,414
Art Unit: 1641

Page 2

EXAMINER'S AMENDMENT

An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Mr. Eric Mirabel on September 7, 2004.

The application has been amended as follows:

In claim 1, line 1, "separating and then" was deleted.

In claim 1, line 5, --a)--was inserted before "providing".

In claim 1, line 9, --b)--was inserted before "placing".

In claim 1, line 14, --c)--was inserted before "translocating".

In claim 1, line 19, --d)--was inserted before "merging".

Claim 2, line 2, "second" was replaced with --another distinct--.

Claim 3, line 2, "the second" was replaced with --said another distinct--.

In claim 4, lines 1-2, "generated and encoded...by a process" was deleted.

In claim 4, line 3, --a)--was inserted before "providing".

In claim 4, line 7, --b)--was inserted before "placing".

In claim 4, line 13, --c)--was inserted before "translocating".

In claim 4, line 19, --d)--was inserted before "merging".

In claim 4, line 23, --e)--was inserted before "comparing".

Non-elected claim 10 is canceled herein.

ME